

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
OFFICE OF FINANCIAL AND INSURANCE REGULATION
Before the Commissioner of Financial and Insurance Regulation

Office of Financial and Insurance Regulation,
Petitioner

v

Matthew B. Medwid,
Respondent

Enforcement Case No. 08-5574

For the Petitioner:

Marlon Roberts
Office of Financial & Insurance Regulation
P.O. Box 30220
Lansing, MI 48909-7720

For the Respondent:

Matthew B. Medwid


Issued and entered
this 16th day of September 2008
by Ken Ross
Commissioner

FINAL DECISION

**I
BACKGROUND**

On May 22, 2008, Chief Deputy Commissioner Frances K. Wallace issued an Order Referring Complaint for Hearing and Order to Respond in this case. The Order for Hearing set forth detailed allegations that Respondent Medwid had erroneously been granted an insurance producer license for which he was not qualified, Respondent having been convicted of a felony before he applied for the license.

On August 6, 2008, the Petitioner filed a Motion for Summary Decision. The motion was granted in an order issued August 15, 2008. Shortly after the motion was granted, it was learned that the decision to grant the motion was based on a factual error. The August 15 order

was rescinded on August 20 and Respondent Medwid was given until September 4 to file a written response to Petitioner's motion. Mr. Medwid's response was received on September 4.

In his response, Mr. Medwid stated that he originally applied for an insurance producer license in 2003. He says he was hospitalized for a serious illness shortly after that. He reapplied for a solicitor license which he received in June 2005. He applied for a producer license in 2006 and disclosed his felony conviction on his application. The producer license was issued and he has been an active insurance producer since then. Regarding his felony conviction, Mr. Medwid says that his crime occurred when he used a credit card from his father's business without permission. He says he has paid full restitution, completed his required community service, and has been released from probation.

II DISCUSSION

The Commissioner has considered the Petitioner's motion and Respondent's arguments in opposition to the motion.

The facts necessary to resolving this matter are not in dispute: Respondent Matthew Medwid was licensed as a solicitor in June 2005. He applied for an insurance producer license in December 2006. The insurance producer license was issued to Respondent on January 29, 2007. On his producer license application, Respondent disclosed that in 1990 he had been convicted of the felony of illegal use of a financial transaction device.

Section 1205(1) of the Michigan Insurance Code, MCL 1205(1), prohibits issuing insurance producer licenses to individuals who have been convicted of a felony. Because he has been convicted of a felony, Respondent does not meet the requirements to be licensed as a producer under the Michigan Insurance Code. The motion of Petitioner is granted.